

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GREGORY V. SERIO,

Plaintiff,

-v-

DWIGHT HALVORSON INSURANCE  
SERVICES, INC., *et ano*,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 12/19/06

Case No. 04-CV-3361 (KMK)

ORDER

KENNETH M. KARAS, District Judge:

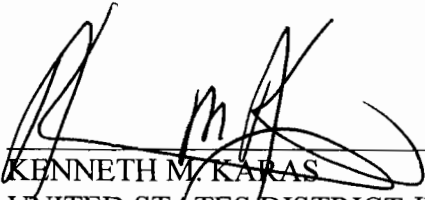
During oral argument today regarding Plaintiff's Motion for Summary Judgment, it was brought to the Court's attention that, after the Motion had been fully briefed, Dwight Halvorson ("Halvorson") gave deposition testimony that may bear on the outcome of the Motion. Plaintiff now requests that the Court consider that testimony. Accordingly, the Court will allow limited briefing on the admissibility and import of Dwight Halvorson's March 31, 2006 deposition testimony. It is therefore hereby

ORDERED that Plaintiff's memorandum of law requesting that the Court consider Halvorson's deposition testimony be submitted no later than January 12, 2007. The memorandum shall explain: 1) why the Court should consider Halvorson's deposition testimony; and 2) the effect of that testimony on the pending Motion for Summary Judgment. The memorandum is not to exceed seven pages. It is further

ORDERED that Defendant's response shall be submitted no later than January 29, 2007. The response shall also be limited to seven pages, and shall address only the admissibility and effect of Halvorson's deposition testimony.

SO ORDERED.

Dated: December 18, 2006  
New York, New York



KENNETH M. KARAS  
UNITED STATES DISTRICT JUDGE